IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUIT NO.599 OF 1996

Trimbak Dhondu Mistry ... Plaintiff

Vs.

Dhanjiwadi Bhadut Mandal & Ors. ... Defendants

Mr. Sunil Nair i/b Mr. C.N. Nair for the plaintiff.

Ms. Lata G. Wadhwani for defendant 3.

Mr. Paresh Shah with Ms. L. Mirashi i/b Shah & Sanghavi for defendant 5.

Mr. R. Y. Sirsikar for defendant 6.

Mr. J.G. Reddy for S.R.A.

CORAM : SMT. RANJANA DESAI, J.

DATED : OCTOBER 11, 2007.

P.C.:-

1. Learned counsel appearing for the plaintiff and learned counsel appearing for defendants 3 and 5 state that the plaintiff, and defendants 3 and 5 have settled the dispute involved in the suit. Learned counsel for the plaintiff says that defendant 1 later on formed a society which is present defendant 3 and defendant 2

was the president of defendant 1. He says that in view of this, the plaintiff is not claiming any reliefs against defendants 1 and 2. Learned counsel for the plaintiff says that the plaintiff is not seeking any relief against defendant 6. Learned counsel for defendant 6 is present in the court. He states that the present suit relates to slum rehabilitation project. The suit property does not belong to defendant 6. Annexure 2 is also not issued by defendant 6 for implementation of the Slum Rehabilitation Scheme. The suit property belongs to some private party. He states that he has instructions to submit to the orders of the court. A copy of the letter dated 6/10/2007 addressed by Senior Colony Officer, “P” North Ward of defendant 6 to the above effect is taken on record and marked “A”.

2. The Slum Rehabilitation Authority is not a party. However, by way of abundant caution, the court asked learned counsel appearing for the Slum Rehabilitation Authority to remain present in the court. He makes a statement that no relief is claimed against the Slum Rehabilitation Authority and they have no objection to the consent terms being taken on file.

3. In the circumstances, the consent terms duly signed by the plaintiff, Ms. Jayaben D. Naik, the Secretary of defendant 3 on behalf of defendant 3, Mr. Yogesh Mehta, the director of defendant 5 on behalf of defendant 5 and also signed by the respective counsel for the plaintiff, defendants 3 and 5 are taken on record and marked “X”. Undertakings contained in the consent terms are accepted by this court.

4. Order in terms of the consent terms. Suit is disposed of in terms of consent terms.

[SMT. RANJANA DESAI, J.]